

REMARKS

Claims 1-18 are pending in the application. It is gratefully acknowledged that Claims 4-9 and 12-17 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has rejected Claims 1-3, 10, 11 and 18 under 35 U.S.C. §102(e) as being anticipated by Willars et al. (U.S. Patent 6,889,050).

Please amend Claims 1, 3, 4, 10-12 and 18 as set forth herein. No new matter has been added.

Regarding the rejection of Claims 1-3, 10, 11 and 18 under §102(e), the Examiner states that Willars et al. anticipates each and every element of the claims. Willars discloses variable transmission rate services in a radio access network. Willars teaches that the Iur between the SRNC and the DRNC must be maintained even after the handoff of the UE from BS1 to BS4.

Amended Claim 1 recites, “transmitting by the first RNC to the second RNC through an Iur interface control information necessary for providing the packet service to the UE; receiving by the second RNC the control information and receiving through an Iu interface the packet service data; when the second RNC can provide the packet service, notifying by the second RNC the first RNC that the second RNC is providing the packet service; when the second RNC cannot provide the packet service, sending by the second RNC to the SGSN a request for the setup of the packet service; transmitting by the second RNC through the Iu interface the packet service data to the UE; and storing by the SGSN a Packet Data Protocol (PDP) list, a UE list and an RNC list for each packet service type.”

There are several features of amended Claim 1 that are not taught or disclosed by Willars.

First, Claim 1 recites that the second RNC receives the packet service data through an Iu interface. In Willars, the RNC 2 receives the service through the Iur interface.

Second, Claim 1 recites that when the second RNC can provide the packet service, notifying by the second RNC the first RNC that the second RNC is providing the packet service. Willars does not perform this notification processes based on the recited conditions.

Third, Claim 1 recites that when the second RNC cannot provide the packet service, sending by the second RNC to the SGSN a request for the setup of the packet service. Willars does not perform this sending processes based on the recited conditions.

Fourth, Claim 1 recites that the second RNC transmits through the Iu interface the packet service data to the UE. As stated above, Willars teaches that the service is transmitted through the Iur interface.

Also, Claim 1 recites that the SGSN stores a Packet Data Protocol (PDP) list, a UE list and an RNC list for each packet service type. This feature is neither taught or disclosed by Willars.

As independent Claims 3, 10, 11 and 18 recite similar features as Claim 1, similar arguments apply to Claims 3, 10, 11 and 18 as apply to Claim 1.

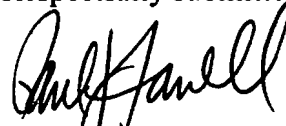
Based on at least the foregoing, withdrawal of the rejection of Claim 1-3, 10, 11 and 18 under §102(e) is respectfully requested.

Independent Claims 1, 3, 10, 11 and 18 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claim 2 this is likewise believed to be allowable by virtue of its dependence on its respective independent claim. Accordingly, reconsideration and withdrawal of the rejection of dependent Claim 2 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-18, are believed to be in condition for allowance. Should the Examiner believe that a telephone

conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written in a cursive style.

Paul J. Farrell

Reg. No. 33,494

Attorney for Applicant

THE FARRELL LAW FIRM
333 Earle Ovington Blvd. Suite 701
Uniondale, New York 11553
Tel: (516) 228-3565
Fax: (516) 228-8475

PJF/MJM/dr